

REMARKS

Claims 1-15 are pending, having been substituted for original claims 1-20 in Applicants' Response to the Written Opinion dated 26 February 2004.

Claims 1-15 have been subjected to restriction by the Examiner's Supplemental Restriction Requirement into two Groups:

Group I (claims 1-14, drawn to methods for detecting the presence or absence of a diseased condition in a tissue, cell type or organ of an individual); and Group II (claim 15, drawn to a kit comprising a surface to bind free floating DNA in a sample, means for detecting bound DNA, reagents to convert unmethylated cytosines in the DNA into uracil but leave position-5 methylated cytosines unmodified, a container, and means to control container temperature).

Telephonic Interview

Applicants' agent discussed the original restriction requirement with the Examiner via telephone on 21 November 2006, wherein the Examiner appreciated that Applicants' Article 34 amended claims had been inadvertently overlooked for the restriction requirement. The Examiner agreed to issue a Supplementary Restriction Requirement to correct this, and Applicants now respond to same, and thank the Examiner for timely reissuing the amended requirement.

Restriction Election

Applicants herein elect **Group 1** (claims 1-14) with traverse. Applicants' traversal is based on the fact that the kit claim 15 has been amended by this Preliminary Amendment to comprise method limitations.

Voluntary claim amendments

Minor amendments to the claims have been made herein to conform with U.S. practice (e.g., with respect to multiple dependencies, etc.), to clarify and correct antecedent basis, to correct grammar, and to conform language and elemental identifiers throughout the claim set. Reagent

limitations are now recited in kit claim 15. Support for the amendments is found, for example, in the original specification and claims (*e.g.*, at original claims 9, 12, etc.).

No new matter has been added.

Conclusion

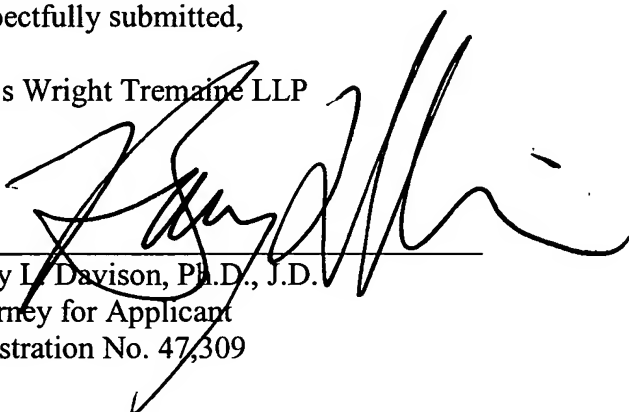
In view of the foregoing amendments and remarks, applicant respectfully requests entry of the present Response and Amendment, and allowance of all claims as presented and amended herein.

The Examiner is encouraged to phone applicant's attorney, Barry L. Davison, to resolve any outstanding issues and expedite allowance of this application.

Davis Wright Tremaine LLP
2600 Century Square
1501 Fourth Avenue
Seattle, Washington 98101-1688
Telephone: 206-628-7621
Facsimile: 206-628-7699

Respectfully submitted,

Davis Wright Tremaine LLP



Barry L. Davison, Ph.D., J.D.
Attorney for Applicant
Registration No. 47,309